

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45735 of 2024

Arising Out of PS. Case No.-5 Year-2023 Thana- PUNAURA District- Sitamarhi

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DHRAMVEER MAHTO @ DHARMVEER KUMAR S/O SUNIL MAHTO
R/O VILLAGE- AKHTA PARSAUNI, P.S- BAIRAGANIYA, DISTT.
SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.
For the Opposite Party/s : Mr.Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 30-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Punaura P.S. Case No. 05 of 2023, S.Tr. No.745 of 2023, lodged
under Section 302 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons against whom there is
allegation that they have killed the informant's husband.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner has been apprehended by the police by virtue
of his self confession as well as confessional statement of the
co-accused. He further submits that save and except the
confession, there is nothing in the present case against the
petitioner.

5. Counsel further submits that case diary has been



called for in this matter. He further submits that petitioner is in custody since 07.02.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that it is true that the petitioner is not named in the F.I.R. He further submits that it is also true that the petitioner himself as well as the co-accused has disclosed that for the ransom, this crime has been done. It has been accepted by the accused persons that one accused has attacked by knife due to which the deceased fell down and it is the petitioner who by taking the said knife has cut the neck of the deceased due to which he died. Though all this has come in the confessional statement, but from the further paragraphs of case diary, it has come that the weapon used in the crime has been recovered by the police. As such, the confessional statement become corroborated with the recovery of the weapon used in the crime.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

Prakashmani/-

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